

MUSWELLBROOK SOLAR FARM PLANNING AGREEMENT EXPLANATORY NOTE

On 27 May 2025, approval was granted by the Independent Planning Commission, for ESCO Solar 9 Pty Ltd as trustee for the ESCO Solar Farm 9 Trust, to develop Muswellbrook Solar Farm at Muscle Creek Road, Muswellbrook.

The solar farm will have a generation capacity of up to 135 megawatts (MWac) and a utility Battery Energy Storage System (BESS) with an approximate capacity of 135 MWac and up to two hours of discharge. The project will also include grid connection and transmission line infrastructure. The solar farm and BESS have an anticipated lifespan of more than 35 years. Up to 200 people will be employed during the 28-month construction phase, with up to 9 ongoing jobs during operation.

Condition A14 of Development Consent (SSD-46543209), requires Muswellbrook Solar (ESCO Solar 9 Pty Ltd) to enter into a Planning Agreement with Muswellbrook Shire Council (Council). Under this Planning Agreement, ESCO Solar 9 Pty Ltd will make contributions to the value of \$850 per MWac provided every year of operation, indexed annually to the Consumer Price Index. These contributions will be allocated as follows:

- Muswellbrook Shire Community Benefit Fund – 45% of the value of the contribution.
- Employment of Specialist Staff by Council – 10% of the value of the contribution; and
- Neighbourhood Benefits as a rate rebate to near neighbours of the project – 45% of the value of the contribution.

Other public benefits to be made by ESCO Solar 9 Pty Ltd include:

- Contributions for maintenance of Sandy Creek Road and Muscle Creek Road.
- Having an office in the Muswellbrook Central Business District during construction; and
- Engaging four apprentices sourced from residents within the Muswellbrook LGA.

Council is required to administer the Planning Agreement in accordance with the *Environmental Planning and Assessment Act 1979* (NSW) and *Environmental Planning and Assessment Regulation 2021* (NSW), in addition to any guidelines published by the Department of Planning, Housing and Infrastructure.

The contributions will be paid into the Muswellbrook Shire Community Benefit Fund and expenditure allocated by Council in accordance with the *Muswellbrook Shire Council Community Benefit Policy* (MSC052E). Funds will be allocated to activities that provide for the ongoing benefit of the community, including:

- Diversifying and growing the local economy.
- Improving community wellbeing.
- Enhancing liveability.
- Increasing education and training opportunity for local people; and
- Supporting environmental and heritage conservation.